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Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

By Electronic Submission

John Muleta
Chief, Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

David Solomon
Chief, Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re E911 Interim Report for Tier III Carriers
CC Docket No. 94-102
Litchfield County Cellular, Inc.

Dear Ms. Dortch:

Pursuant to the Commission's *Order to Stay*, in the above referenced docket,¹ Litchfield County Cellular, Inc. ("LCC") hereby submits its E911 Interim Report for Tier III carriers. This Report provides the Commission with the current status of LCC's E911 efforts and its progress towards compliance with the Commission's E911 Phase II benchmarks.

Please contact the undersigned if you should have any questions regarding this Report.

Sincerely,


Kelly Ramsey

Litchfield County Cellular, Inc.
(606) 878-6000

¹ *Decision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems: Phase II Compliance Deadlines for Non-Nationwide CMRS Carriers*, CC Docket No. 94-102, *Order to Stay*, FCC 02-210, 17 FCC Rcd 14,841 (2002).

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INTERIM REPORT FOR TIER III CARRIERS

LITCHFIELD COUNTY CELLULAR, INC. Block B licensee of Kentucky 11-Clay RSA

Litchfield County Cellular, Inc. ("LCC") hereby provides the Commission with its E911 Interim Report ("Report") for Tier III carriers. As a Tier III carrier, LCC is submitting this one-time Report in order to provide the Commission with the current status of its E911 efforts and its progress towards compliance with the Commission's Phase II benchmarks. LCC is the cellular licensee on the Block B portion of the Kentucky 11 - Clay RSA (call sign KNKN787). In preparing the instant Report, LCC has followed the guidelines provided by the Commission in its June 30, 2003 Public Notice¹

LCC understands the importance of E911 and its obligation as a licensee to assist in ensuring that E911 connectivity for Phase I and Phase II service is properly implemented. LCC is using the services of Telecommunications Service Incorporated ("TSI") to assist it with its E911 implementation. TSI is a third party vendor with years of experience in assisting wireless carriers, such as LCC, in their E911 implementation efforts by providing both project management and implementation services. TSI has played a key role in LCC's E911 implementation process, coordinating the implementation process and assisting LCC with technical problems as they arose. TSI, with the participation of the relevant Public Switched Safety Points ("PSAPs") and Local Exchange Carriers ("LECs"), developed an implementation process by which each party was assigned implementation tasks with mutually agreed upon deadlines. To ensure that the parties were all involved and kept current, TSI hosts bi-weekly conference calls with all the parties to discuss developments and gauge progress.

The number of Phase I and Phase II requests from PSAPs (including those the carrier may consider invalid):

LCC has received three (3) Phase I requests from PSAPS throughout the KY-11 RSA.² LCC has not received any Phase II requests from any PSAPs within its licensed service area. The three Phase I requests were dated as follows: Whitley County PSAP – August 23, 2002³, Kentucky State Police ("KSP") Post #10 covering Bell, Harlan, and Knox counties – May 5, 2000,⁴ and; KSP Post #13 covering Leslie county – May 5, 2000. The original letter from the KSP, which covered Post #10 and Post #13, was never received by LCC. It appears to have been sent to an incorrect mailing address. On its own initiative, LCC called the KSP to inquire about KSP's E911 needs and at that time

¹ See Public Notice, Wireless Telecommunications Bureau Provides Further Guidance On Interim Report Filings by Small Sized Carriers, DA 03-2113, tel. June 30, 2003.

² LCC was recently verbally informed by Knox County that it is establishing a new PSAP in Kentucky, and will require LCC to provide Phase I service. Upon receiving a valid written request, LCC will work cooperatively with Knox County to provide Phase I E911 service.

³ LCC notes that the Phase I request sent by the Whitley County PSAP was sent in response to a request by LCC to the PSAP for such a letter.

⁴ The KSP sent one generic request to all carriers on May 5, 2000.

learned of the existence of the May 5, 2000 letter. It was not until February 13, 2003 that LCC for the first time received the May 5, 2000 letter.

Prior to LCC being aware of these requests, however, TSI and LCC were already working with the PSAPs in LCC's service area to ensure timely and reliable E911 Phase I service. TSI and the PSAPs conducted regularly scheduled meetings to discuss implementation milestones and the work that needed to be done to achieve these milestones. Specifically, TSI sent out surveys and information requests to the PSAPs and the LEC in order to ascertain the various elements and components of E911 Phase I that LCC would need to implement. This information was deemed essential for LCC to begin implementation efforts and to establish the requisite implementation schedule.

Originally, TSI had requested that the PSAPs return their surveys to TSI by December 18, 2002. Whitley County, however, did not provide TSI with the requisite survey until April 1, 2003. Moreover, TSI requested that the PSAPs return their updated Master Street Address Guides ("MSAG") by February 2003. The MSAG is a critical document as it provides information regarding where emergency rescue efforts should be sent. None of the PSAPs met this MSAG deadline. All the PSAPs untimely responded in mid-April 2003 with their MSAG updates. Delays by the PSAPs in returning the requested information have contributed in a significant manner to the delays associated with LCC's ability to provide E911 Phase I service because without this most basic information, such as the number of trunks from the selective router to the PSAP or the location of the ALI database, LCC was unable to proceed with implementation.

Additionally, delays in LCC's ability to respond to the Phase I requests it has received stem delays resulting from negotiating interconnection agreements with BellSouth, the LEC serving the counties in the Kentucky 11 RSA. LCC has been a BellSouth customer since 1994. Despite this long relationship, BellSouth informed LCC it could not order the necessary ISUP lines for Phase I service until LCC entered into a new interconnection agreement with BellSouth. While this may seem a simple task, that has not been LCC's experience. LCC's personnel report that they have encountered numerous delays because they are unable to find an individual tasked with assisting on these matters.

As a result it has taken LCC over four months to negotiate a new interconnection agreement with BellSouth. Without such an agreement LCC cannot proceed with its Phase I implementation. Fortunately, it now appears that an Agreement is within sight. Based on oral representations by BellSouth personnel LCC believes the agreement could be signed within the next week. However, LCC has been told informally that in the past BellSouth's signature processes for interconnection agreements have taken up to 30-days. Upon completion of the interconnection agreement, LCC will be able to order the necessary ISUP trunking lines which will enable it to meet any Phase I E911 service request. All the PSAPs have been kept up to date of the status of LCC's efforts through TSI's bi-weekly conference calls. The PSAPs are comfortable with the progress made by LCC and have continued to provide LCC with the needed flexibility to meet their Phase I requests. Once the new lines are ordered and arrive, LCC will vigorously work with the

LECs to ensure rapid implementation of the lines and thus work towards the provision of Phase I service. In anticipation that all continues to go well, LCC believes that it will be ready to go to live users before the end of the year.

Recently, Knox County has decided to set up its own PSAP instead of sharing the PSAP facilities it currently uses with Harlan and Bell Counties. As part of this change by Knox County, the new PSAP personnel have verbally requested Phase I service from LCC but have not put such a request in writing. Knox County is aware of the impact of its decision to establish its own PSAP (and thus change selective routers) on carriers attempting to provide E911 Phase I service. Both Knox County and LCC have agreed to work cooperatively and afford each other the necessary flexibility to meet Knox County's anticipated Phase I request in a mutually acceptable time frame.⁵ In coordinating with the Knox County PSAP, TSI has been informed that the turn over in selective routers will be completed by September 1, 2003. Based on the information before it and the state of preparedness that the Knox County PSAP is currently in, TSI feels that this date is optimistic at best. Indeed, it appears likely that the Knox County PSAP will be able to receive E911 Phase I information at about the same time LCC is able to provide such service. LCC will continue to work closely with Knox County on this matter.

The carrier's specific technology choice (i.e., network-based or handset-based solutions, as well as the type of technology used):

As previously reported to the Commission, LCC will be utilizing a handset-based location technology solution for Phase II E911. LCC has begun implementing this choice by ordering the requisite ALI-capable handsets. LCC will begin selling these handsets by the September 1, 2003 deadline if not sooner. The problems experienced by LCC in ordering and obtaining these phones is two-fold. First is the supply-demand problem – there is too much demand for the ALI-capable handsets but still not enough supply to meet this demand. Particularly, as a Tier III carrier, there is even a more limited supply of ALI-capable handsets available for LCC to order. Manufacturers fill the orders of the larger carriers before turning to the mid-sized and smaller carriers. In some instances, these larger carriers can account for the majority of the handset supply available from a particular manufacturer. Thus, Tier III carriers can be left to scrounge for the ALI-capable cellular handsets they need. Complicating matters is the fact that given LCC's relative size and the limited amount of handsets it requires, LCC cannot even work directly with the manufacturers to order the handsets and must go through third party vendors.

The second problem is the current cost of ALI-capable handsets. At present, ALI-capable handsets will cost LCC \$100 more per phone than similarly configured non-ALI capable handsets currently offered by LCC to its customers. Currently, LCC has not perceived demand by its customers for such an equipped phone, as Phase II service is not

⁵ The FCC's rules and a recent E911 decision make it clear that the PSAP and the carrier can mutually agree to more flexible deadlines. See, 47 C.F.R. § 20.18(j)(5). See also, *Revision of the Commission's Rules to Ensure Compatibility with Enhanced E911 Emergency Calling Systems, Petition of City of Richardson, Texas*, CC Docket No. 94-102, *Order on Reconsideration*, 17 FCC Rcd 24282, 24282 (2002).

being provided in LCC's service area. Thus in order to entice its customers to purchase the phone, LCC will need to subsidize the costs of the phones, an expense that, in addition to the other E911 related costs, will disproportionately impact a small carrier such as LCC

Status on ordering and/or installing necessary network equipment.

As LCC has not received any requests for Phase II E911 service, it has not begun to order the network equipment that will be needed to implement Phase II E911 service. As outlined above, LCC is working towards completion of its interconnection agreements with the BellSouth and, upon completion of these agreements, will be close to successfully implementing Phase I E911 service throughout LCC's service area. LCC anticipates completing this implementation by the end of the year. TSI and LCC will turn to implementation of E911 Phase II service upon completion of Phase I service. LCC will begin working on its Phase II E911 implementation with TSI despite there being no E911 Phase II service request from any of the PSAPs covering its area.

As with all issues faced by Tier III carriers, the only problems LCC currently anticipates in ordering and installing the necessary equipment, is one of supply. Because there is such a large demand for the necessary equipment to become Phase II compliant, small Tier III carriers such as LCC are forced to wait until there is enough supply for it to receive the needed equipment

If the carrier is pursuing a handset-based solution, the Report must also include information on whether ALI-capable handsets are now available, and whether the carrier has obtained ALI-capable handsets or has agreements in place to obtain these handsets:

As noted above, LCC is pursuing a handset-based solution for its TDMA system. While such handsets may be available to large carriers, they are only available on a very limited basis to Tier III carriers such as LCC. Given the fast-approaching September 1, 2003 deadline for selling ALI-capable handsets, many carriers have similarly requested a supply of ALI-capable handsets. From LCC's discussions with its third party vendors, supply is straining to meet the demand. Thus, by the time the orders of the smaller carriers are ready to be filled, there may not be sufficient TDMA ALI-capable phones to completely meet the needs of the Tier III carriers. LCC is currently finalizing agreements to acquire TDMA ALI-capable handsets in time to meet the first benchmark of September 1, 2003.

LCC does perceive a problem in marketing ALI-capable handsets to its customers because there is currently no perceived benefit to the subscriber to purchase a phone with capabilities it cannot currently utilize. Phase II E911 service has not been requested by the PSAPs in LCC's service area and as such the ALI-capable phones will not be capable of being used to their full potential. LCC believes it will be hard to market the benefits of an ALI-capable phone if those benefits cannot be utilized by customers. If the prices of ALI capable handsets do not fall quickly, LCC will be in the untenable position of

diverting capital earmarked for new cells and maintenance to underwrite the purchase of Phase II capable handsets which will not, for the foreseeable future, have their Phase II E911 capabilities used.

The estimated date on which Phase II service will first be available in the carrier's network:

Without a valid PSAP request for E911 Phase II service, it is difficult for LCC to estimate when such service will be available. Should a PSAP request such service in the near future, however, LCC believes that it will be capable of responding to such a request within the FCC allocated six-month period.

Information on whether the carrier is on schedule to meet the ultimate implementation date of December 31, 2005.

LCC believes that the 95% penetration rate for ALI-capable phones by the December 31, 2005 deadline is achievable if adequate handsets can be obtained and economic issues can be overcome. However, a shortfall of ALI-capable handsets or the possible economic impact of the costs associated with obtaining the number of phones needed to meet the December 31, 2005 benchmark could stymie LCC's best efforts to meet the benchmark dates. LCC will provide the Commission with additional updates if any hurdles appear which could endanger its ability to meet the benchmark deadlines.

DECLARATION OF JILL RAMSEY

I, Jill Ramsey, am an officer of Litchfield County Cellular, Inc., and I hereby certify that, to the best of my knowledge and belief, the information contained on this form and the attached document is complete and accurate.

Signed:



Date:

